

FILED

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

JAN 22 2015

Clerk, U.S. District Court
District Of Montana
Helena

LARRY B. DANIELS,

Petitioner,

vs.

LEROY KIRKEGARD; ATTORNEY
GENERAL OF THE STATE OF
MONTANA,

Respondents.

CV 13-21-BLG-SEH

ORDER

On December 15, 2014, United States Magistrate Judge Carolyn S. Ostby entered Findings and Recommendation¹ in this matter. Petitioner did not file objections. No review is required of proposed findings and recommendations to which no objection is made. Thomas v. Arn, 474 U.S. 140, 149-152 (1986). However, this Court will review Judge Ostby's Findings and Recommendation for clear error.

Upon review, I find no clear error in Judge Strong's Findings and Recommendation and adopt them in full.

¹ Doc. 15.

ORDERED:

1. The petition² is DENIED.
2. The Clerk of Court is directed to enter judgment in favor of Respondents.
3. A certificate of appealability is DENIED. Any appeal would be taken in bad faith as there are no open questions with regard to claims presented and nothing presented upon which a reasonable jurist could disagree.

DATED this 22nd day of January, 2015.


SAM E. HADDON
United States District Judge

² Doc. 1.